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09/768,869	01/24/2001	Kosmas Karadimitriou	2937.1000-003	3172

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EXAMINER

BASEHOAR, ADAM L

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/768,869

Applicant(s)

KARADIMITRIOU ET AL.

Examiner

Adam L. Basehoar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: The RCE filed 06/20/05.
2. Claims 1, 6-7, and 10 have been Amended.
3. Claims 1-18 are pending in the case. Claims 1 and 10 are independent claims.
4. The rejection of Claims 1-3, 6-7, 10-12, and 15-17 under 35 U.S.C. 102(e) as being anticipated by Russell-Falla et al (US: 6,675,162 01/06/04) have been withdrawn as necessitated by Amendment.
5. The rejection of Claims 8-9 and 18 under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al (US: 6,675,162 01/06/04) have been withdrawn as necessitated by Amendment.
6. The rejection of Claims 4-5 and 13-14 under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al (US: 6,675,162 01/06/04) in view of Haug et al (US: 6,556,964 04/29/03) have been withdrawn as necessitated by Amendment.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 1-9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are rejected under 35 U.S.C. 101 because they are not considered to be tangibly embodied. The examiner suggests that

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independent claim 1 be amended to include "A computer-implemented method" to overcome the 101 rejections.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3, 6-9, 10-12, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al (US-6,675,162 01/06/04) in view of Chakrabarti et al (US-6,389,436 05/14/02).

-In regard to independent claims 1 and 10, Russell-Falla et al teach a method and apparatus for determining content type of a web page comprising:

providing a predefined set of potential content types (categories of content)(column 2, lines 35-43);

for each potential content type (categories of content)(column 2, lines 35-43)(e.g. "pornographic", "racist", etc)(column 3, lines 39-43), preparing a distinguishing series of tests (column 2, lines 56-63; column 3, lines 39-57; column 4, lines 61-66)(i.e. testing each keyword or regular expression of the content against a database of keywords and regular expressions common to the content type for matching and weighting purposes);

for each potential content type (categories of content)(column 2, lines 35-43)(e.g. "pornographic", "racist", etc)(column 3, lines 39-43), running the distinguishing series of

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tests (column 2, lines 56-63; column 3, lines 39-57; column 4, lines 61-66)(i.e. testing each keyword or regular expression against a database of keywords and regular expressions common to the content type for matching and weighting purposes) enabling quantitative evaluation of some contents of the selected web page being of the potential content type (column 2, lines 55-64);

mathematically combining the test results (column 3, lines 54-57); and

based on the results, assigning a probability (equivalent to the final rating of the page relative to the content category), for each potential content type, that shows the likelihood that some contents of that type exist on the selected web page (column 3, lines 2-6).

Russell-Falla et al do not teach wherein at least one test does not determine whether a predetermined piece of data, keyword, or expression appears in the subject Web page. Chakrabarti et al teach a distinguishing series of tests to determine the potential content type of a web page (column 4, lines 5-15), wherein the distinguishing series of tests include tests that do not determine whether a predetermined piece of data, keyword, or expression appears in the subject page (i.e. test for both links in the subject web page and links that refer to the subject web page)(column 6, lines 27-67; column 7, lines 1-4). It would have been obvious to one of ordinary skill in the art at the time of the invention for Russell-Falla et al to have run the additional tests as taught in Chakrabarti et al for determining the content type of web pages, because Chakrabarti et al teach that by utilizing the in/out links of the web page with the hypertext classifier (Fig. 1: 110) the accuracy of classification goes up over those tests utilizing only local text/terms of the document to be classified (column 7, lines 34-59).

-In regard to dependent claims 2, 11, and 15, Russell-Falla et al further teach wherein the set of potential content types could include web page articles/news with information about people (e.g. pornography, racism, terrorism) and other content (column 2, lines 10-23; column 3, lines 41-43).

-In regard to dependent claims 3 and 12 Russell-Falla et al further teach producing a respective confidence level (equivalent to the rating of the page relative to the content category) for each potential content type when at least some of the web page content was of that type (columns 2 & 3, lines 54-67 & 1-6).

-In regard to dependent claims 6 and 16, Russell-Falla et al further teach wherein the step of running the tests includes determining whether a predefined piece of data or keyword ("weighting list") appears in the web page (column 2, lines 56-63).

-In regard to dependent claims 7 and 17, Russell-Falla et al further teach wherein the step of running the tests includes determining whether a predefined piece of data or keyword ("weighting list") appears in the web page (column 2, lines 56-63).

-In regard to dependent claims 8, 9, and 18, Russell-Falla et al do not teach storing indications of the assigned probabilities (web page ratings) of each potential content type cross referenced with each respective web page in a database. It would have been obvious to one of ordinary skill in the art at the time of the invention to have stored

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previously viewed web pages along with there respective ratings for content types local to the user, because it was well known in the art at the time of the invention that storing frequently view web pages with their ratings would significantly reduce the determination/processing time of the Russell-Falla et al system by eliminating undue identifying, analyzing, and calculating on identical web page requests. Thus a repeated request could render an appropriate web page more efficiently which would benefit Russell-Falla et al which teach that analyzing web pages could be difficult and time consuming (column 1, 38-43).

11. Claim 4-5 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al (US: 6,675,162 01/06/04) in view of Chakrabarti et al (US-6,389,436 05/14/02) in further view of Haug et al (US: 6,556,964 04/29/03).

-In regard to dependent claims 4 and 13, Russell-Falla et al further teach wherein the test results utilize a neural network (column 4, lines 1-5). Russell-Falla et al do not teach wherein the combining of the test results includes using a Bayesian network. Haug et al teach wherein the application of a Bayesian network for statistical pattern recognition provides improved system performance with additional training of the network (column 3, lines 8-16). It would have been obvious to one of ordinary skill in the art at the time of the invention, for the invention of Russell-Falla et al to have employed a Bayesian network as shown in Haug et al, to achieve the above mentioned improved system performance, because Russell-Falla et al do provide the needed training of the network (column 3, lines 58-67) which would be needed to increase the statistical recognition needed to support the Bayesian network.

-In regard to dependent claims 5 and 14, Russell-Falla et al further teach the step of training the neural network using a training set of web pages with respective known content types and collecting the statistics on the test results of the training web pages (column 3, lines 58-67).

Response to Arguments

12. Applicant's arguments with respect to independent claims 1 and 10 have been considered but are moot in view of the new ground(s) of rejection.

With regard to the Applicant's arguments regarding the independent claims, the Examiner agrees with the Applicant that the Russell-Falla et al reference does not teach the newly amended limitations of, "wherein at least one of test does not determine whether a predetermined piece of data, keyword, or expression appears in the subject Web page." The Examiner also agrees that Russell-Falla only teaches running one type of test a plurality of times and that correlation engine of Russell-Falla does not constitute a separate test.

However, the examiner believes that Russell-Falla in view of the Chakrabarti et al reference teach running a plurality of different tests including examining links in the subject web page as well as examining links that refer to the subject webpage. The examiner also wishes to point out the newly cited reference of Skopicki (US-6,859,797 02/22/05), which teaches the benefit of determining a document content type based on the documents text properties as well as page format and style.

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Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-2003/0225763	12-2003	Guilak et al.
US-2003/0221163	11-2003	Glover et al.
US-6,859,707	02/22/05	Skopicki

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
7/21/2005